

House Engrossed

FILED

KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 98

HOUSE BILL 2099

AN ACT

AMENDING SECTION 15-189.01, ARIZONA REVISED STATUTES; RELATING TO CHARTER SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-189.01, Arizona Revised Statutes, is amended to
3 read:

4 15-189.01. Charter schools; zoning; development fees

5 A. Charter schools shall be classified as public schools for the
6 purposes of ZONING AND the assessment of zoning fees, site plan fees and
7 development fees. MUNICIPALITIES AND COUNTIES SHALL ALLOW A CHARTER SCHOOL
8 TO BE ESTABLISHED AND OPERATE AT A LOCATION OR IN A FACILITY IN WHICH SCHOOLS
9 OPERATED BY SCHOOL DISTRICTS ARE NOT PROHIBITED BY THE ZONING REGULATIONS OF
10 THE COUNTY OR MUNICIPALITY, EXCEPT THAT A COUNTY OR MUNICIPALITY MAY ADOPT
11 ZONING REGULATIONS THAT PROHIBIT A CHARTER SCHOOL FROM OPERATING IN AN
12 EXISTING SINGLE FAMILY RESIDENCE THAT IS LOCATED ON PROPERTY OF LESS THAN AN
13 ACRE.

14 B. A CHARTER SCHOOL IS SUBJECT TO THE SAME LEVEL OF OVERSIGHT AND THE
15 SAME ORDINANCES, LIMITATIONS AND REQUIREMENTS, IF ANY, THAT WOULD BE
16 APPLICABLE TO A SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT.

17 C. THE CONSTRUCTION AND DEVELOPMENT OF THE CHARTER SCHOOL FACILITY
18 SHALL BE SUBJECT TO THE BUILDING CODES, INCLUDING LIFE AND SAFETY BUILDING
19 CODES, OF THE MUNICIPALITY, COUNTY OR STATE.

20 D. Municipalities and counties shall adopt procedures to ensure that
21 hearings and administrative reviews involving charter schools are scheduled
22 and conducted on an expedited basis and that charter schools receive a final
23 determination from the municipality or county within thirty days of the
24 beginning of processes requiring only an administrative review and within
25 ninety days of the beginning of processes requiring a public hearing and
26 allowing an appeal to a board of adjustment, city or town council GOVERNING
27 BODY or board of supervisors.

28 ~~B.~~ E. No political subdivision of this state may enact or interpret
29 any law, rule or ordinance in a manner that conflicts with subsection A.

APPROVED BY THE GOVERNOR JULY 10, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.